

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Ryan offered the following:

2  
3 **Amendment (with ballot statement and title amendments)**

4 Remove line(s) 14-20 and insert:

5 That the following creation of Section 20 of Article III  
6 and the amendment of Section 10 of Article IV and Sections 3, 5,  
7 and 7 of Article XI of the State Constitution is agreed to and  
8 shall be submitted to the electors of this state for approval or  
9 rejection at the next general election or at an earlier special  
10 election specifically authorized by law for that purpose:

11 ARTICLE III

12 LEGISLATURE

13 SECTION 20. Legislation by initiative.--

14 (a) (1) The power to propose legislation by initiative is  
15 reserved to the people, provided that any such legislation shall  
16 embrace one subject and matter directly connected therewith.

17 This power may be invoked by filing with the custodian of state  
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18 records a petition containing a copy of the proposed  
19 legislation.

20 (2) The following subjects may not be proposed by  
21 initiative: special and general laws of local application; laws  
22 that impose, eliminate, increase or grant exemption from taxes;  
23 laws that appropriate state funds; laws requiring counties or  
24 municipalities to spend funds or eliminating their ability to  
25 raise revenues or receive state tax revenue; laws that provide  
26 exemption from public records or public meeting requirements;  
27 laws that provide for the number or assignment of judges or the  
28 jurisdiction of courts; laws that the legislature is prohibited  
29 from passing or must pass by an extraordinary vote; and laws  
30 changing the boundaries of any municipality, county, or special,  
31 legislative, or congressional district.

32 (b) (1) Upon filing with the custodian of state records a  
33 petition signed by a number of electors in the state as a whole  
34 equal to two percent of the votes cast in the state as a whole  
35 in the last preceding election in which presidential electors  
36 were chosen, the proposed legislation shall be brought before  
37 the legislature for enactment at the next regular session held  
38 more than thirty days following submission of the petition as  
39 provided herein. The proposed legislation shall be treated as a  
40 bill subject to section 7 of this article. The enacting clause  
41 of every law proposed by initiative shall read: "Be It Enacted  
42 by the People of the State of Florida by Initiative:".

43 (2) If the legislature fails to enact the proposed  
44 legislation, the proposed legislation may be placed on the  
45 ballot at the next general election held more than ninety days  
46 after a initiative petition proposing legislation is filed with

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47 the custodian of state records signed by a number of electors in  
48 the state equal to four percent of the votes cast in the state  
49 as a whole in the last preceding election in which presidential  
50 electors were chosen.

51 (c) The governor may not veto legislation proposed by  
52 initiative that is approved by the electors. Laws that are  
53 enacted by initiative may be amended or repealed as provided in  
54 this section and shall otherwise be subject to the powers of the  
55 governor and the legislature granted by this constitution, as  
56 such powers apply to any law or legislation. However,  
57 notwithstanding section 7 of this article, the legislature may  
58 amend or repeal legislation approved by vote of the electors for  
59 the first two years after it takes effect only by a vote of  
60 three-fifths of the membership of each house of legislature and  
61 thereafter by a majority vote of the membership of each house of  
62 the legislature.

63 (d) Once in the tenth week, and once in the sixth week  
64 immediately preceding the week in which the election is held,  
65 the proposed legislation, with notice of the date of the  
66 election at which it will be submitted to the electors, shall be  
67 published in one newspaper of general circulation in each county  
68 in which a newspaper is published.

69 (e) If the legislation proposed by initiative is approved  
70 by majority vote of the electors voting on the proposed  
71 legislation, it shall be effective on the first day of July  
72 following the next regular session of the legislature after the  
73 general election at which the legislative initiative was  
74 approved.

75 ARTICLE IV

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EXECUTIVE

SECTION 10. Attorney General.--The attorney general shall, as directed by general law, request the opinion of the justices of the supreme court as to the validity of any initiative petition proposing legislation circulated pursuant to Section 20 of Article III or any initiative petition proposing to amend or revise this constitution circulated pursuant to Section 3 of Article XI. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented and shall render their written opinion no later than April 1 of the year in which the initiative is to be submitted to the voters pursuant to Section 5 of Article XI.

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.--

(a) The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. Any revision or amendment proposed by initiative shall:

(1) Amend or repeal an existing section of this constitution on the same subject and matter;

(2) Address a basic or fundamental right of a citizen of this state; or

(3) Change the basic structure of state government as established in Article II, Article III, Article IV, or Article V of this constitution, except that no revision or amendment shall

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105 | deprive the branches of government of any existing powers  
106 | granted in these articles.

107 |       (b) The initiative power ~~It~~ may be invoked by filing with  
108 | the custodian of state records a petition containing a copy of  
109 | the proposed revision or amendment, signed by a number of  
110 | electors in each of one half of the congressional districts of  
111 | the state, and of the state as a whole, equal to eight percent  
112 | of the votes cast in each of such districts respectively and in  
113 | the state as a whole in the last preceding election in which  
114 | presidential electors were chosen.

115 |       SECTION 5. Amendment or revision election.--

116 |       (a) A proposed amendment to or revision of this  
117 | constitution, or any part of it, shall be submitted to the  
118 | electors at the next general election held more than ninety days  
119 | after the joint resolution or report of revision commission,  
120 | constitutional convention or taxation and budget reform  
121 | commission proposing it is filed with the custodian of state  
122 | records, unless, pursuant to law enacted by the affirmative vote  
123 | of three-fourths of the membership of each house of the  
124 | legislature and limited to a single amendment or revision, it is  
125 | submitted at an earlier special election held more than ninety  
126 | days after such filing.

127 |       (b) A proposed amendment or revision of this constitution,  
128 | or any part of it, by initiative shall be submitted to the  
129 | electors at the general election provided the initiative  
130 | petition is filed with the custodian of state records no later  
131 | than February 1 of the year in which the general election is  
132 | held.

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133 (c) The legislature shall provide by general law, prior to  
134 the holding of an election pursuant to this section, for the  
135 provision of a statement to the public regarding the probable  
136 financial impact of any amendment proposed by initiative  
137 pursuant to section 3.

138 (d) Once in the tenth week, and once in the sixth week  
139 immediately preceding the week in which the election is held,  
140 the proposed amendment or revision, with notice of the date of  
141 election at which it will be submitted to the electors, shall be  
142 published in one newspaper of general circulation in each county  
143 in which a newspaper is published.

144 (e) Unless otherwise specifically provided for elsewhere  
145 in this constitution, if the proposed amendment or revision is  
146 approved by vote of at least sixty percent of the electors  
147 voting on the measure, it shall be effective as an amendment to  
148 or revision of the constitution of the state on the first  
149 Tuesday after the first Monday in January following the  
150 election, or on such other date as may be specified in the  
151 amendment or revision.

152

153 == B A L L O T S T A T E M E N T A M E N D M E N T ==

154 Remove line(s) 76-80 and insert:

155 CONSTITUTIONAL AMENDMENT

156 ARTICLE III, SECTION 20

157 ARTICLE IV, SECTION 10

158 ARTICLE XI, SECTIONS 3, 5, and 7

159 LEGISLATION BY INITIATIVE; INITIATIVE; AMENDMENTS,  
160 REVISIONS; STATE TAX OR FEE INCREASE, SIGNIFICANT ADDITIONAL  
161 SPENDING RESULT.--Proposes amendment of the State Constitution  
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162 to allow legislation to be proposed by initiative, unless it is  
163 special or local in nature, involves taxes or tax exemptions,  
164 appropriates state funds, requires counties or municipalities to  
165 spend funds or eliminates their ability to raise revenues or  
166 receive state tax revenue, provides exemption from public  
167 records or public meetings requirements, provides for the number  
168 or assignment of judges or the jurisdiction of courts, is  
169 constitutionally prohibited or requires passage by an  
170 extraordinary vote of the Legislature, or changes the boundaries  
171 of any municipality, county, or special, legislative, or  
172 congressional district; to prescribe standards for such  
173 initiatives and requirements to invoke and approve them; to  
174 prohibit gubernatorial veto and restrict the Legislature from  
175 amending or repealing such legislation in the first 2 years  
176 after taking effect, except by an extraordinary vote; to provide  
177 for Supreme Court review of initiative petitions proposing  
178 legislation; to require signatures for initiative petitions to  
179 amend or revise the State Constitution to be gathered in all,  
180 rather than one half, of the congressional districts and of the  
181 state as a whole; to allow repeal of amendments or revisions to  
182 the State Constitution adopted by initiative petition pursuant  
183 to the same requirements as those for adoption of the amendment  
184 or revision to be repealed; to provide that a constitutional  
185 revision or amendment proposed by initiative must amend or  
186 repeal an existing section of the State Constitution on the same  
187 subject and matter; must address a basic or fundamental right of  
188 a citizen of this state; or must change the basic structure of  
189 state government as established in Article II, Article III,  
190 Article IV, or Article V of the State Constitution, except that  
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191 no revision or amendment may deprive the branches of government  
192 of any existing powers granted in these articles; and to require  
193 that any proposed amendment to or revision of the State  
194 Constitution, whether proposed by the Legislature, by  
195 initiative, or by any other method, must be approved by at least  
196 60 percent of the voters voting on the measure, rather than by a  
197 simple majority. Also proposes amendment of the State  
198 Constitution, in which a proposed  
199

200 ===== T I T L E A M E N D M E N T =====

201 Remove line(s) 2 and insert:

202 A joint resolution proposing the creation of Section 20 of  
203 Article III and the amendment of Section 10 of Article IV and  
204 Sections 3 and 5 of Article XI of the State Constitution to  
205 authorize the proposal of legislation by initiative, to provide  
206 for Supreme Court review of initiative petitions proposing  
207 legislation, to provide the permissible subject matter of  
208 revisions or amendments to the State Constitution proposed by  
209 initiative, and to require that any proposed amendment to or  
210 revision of the State Constitution be approved by at least 60  
211 percent of the electors voting on the measure and proposing the  
212 amendment of Section 7 of